

**Senate General Welfare Committee Amendment No. 3**

**AMENDMENT NO.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 1542**

**House Bill No. 740\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the language of subsection (b)(3) of Section 2, as amended, and by substituting instead the following:

(3) All board members, except the member who is not directly or indirectly engaged in the alcohol and drug abuse counseling profession, shall be duly licensed or eligible to be licensed by the board. Subsequent appointees to the board shall possess the professional qualifications required by their predecessors as required by this act and shall be appointed to five-year terms.

AND FURTHER AMEND by deleting from subsection (f) of Section 2, as amended, the language "board of health-related boards as defined in § 68-1-101" and by substituting instead the language "division of health related boards as defined in § 63-1-101".

AND FURTHER AMEND by deleting the second sentence in Section 3, as amended, and by substituting instead the following:

The board shall promulgate rules to effectuate the purposes of this act to include, but not be limited to:

- (1) Application and licensure fees;
- (2) Examination and licensure procedures;
- (3) Standards of practice and qualifications for licensure;
- (4) Disciplinary procedures; and
- (5) Supervision of applicants.

AND FURTHER AMEND by deleting subsection (a) of Section 4, as amended, and by substituting instead the following:

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(a) A license shall be renewable biennially on the birth date of the licensee.

AND FURTHER AMEND by deleting Section 5, as amended, in its entirety and by substituting instead the following:

SECTION 5. Nothing in this act shall be construed as permitting any person licensed as an alcohol or drug abuse counselor to engage in the practice of medicine, or to engage in the practice of a licensed psychologist, licensed psychological examiner, certified master social worker, licensed independent practitioner of social work, licensed professional counselor, licensed marriage and family therapist, or psychiatric nurse. Persons licensed as alcohol and drug abuse counselors shall not be authorized by the provisions of this act to dispense or prescribe drugs. Nothing in this act shall be construed to constrict or limit the practice of medicine, the certification and licensing of social workers, the licensing of nurses, the licensing of psychologists, or the licensing of professional counselors and marriage and family therapists. In addition, nothing in this act shall be construed to prevent qualified members of such professions from advertising that such persons diagnose and treat alcohol and drug disorders within the scope of their respective professions or from actually diagnosing and treating alcohol and drug disorders within the scope of their respective professions.

AND FURTHER AMEND by deleting in Section 1, as amended, the language "Sections 2 through 5" and by substituting instead the language "Sections 2 through 7".

AND FURTHER AMEND by adding the following as new Section 6 and 7 and by renumbering the existing Section 6 and subsequent section accordingly:

SECTION 6. (a) Alcohol and other drugs of abuse counseling includes the following:

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(1) The evaluation and treatment of problems and misconceptions of persons who abuse mood-altering chemicals within the context of individual, group, familial and significant other systems; and

(2) The evaluation and treatment of those persons who have had their lives significantly impacted by another person's use of alcohol or other drugs of abuse. Alcohol and other drugs of abuse counseling includes the provision of the primary functions which may be performed by licensed alcohol and drug abuse counselors.

(b) Nothing in this act shall be construed as permitting any person licensed as an alcohol and drug abuse counselor to perform psychological testing intended to measure and/or diagnose mental illness. Consistent with each counselor's formal education and training, licensed alcohol and drug abuse counselors may administer and use appropriate assessment instruments which identify elements of perceptual inability to recognize empirical facts, problems of appropriately displaying emotions, and inappropriate responses to the environment of individuals, couples and families as part of the alcohol and other drugs of abuse therapy process or in the development of a treatment plan in the context of chemical abuse systems.

SECTION 7. The primary functions which may be performed by licensed alcohol and drug abuse counselors are as follows:

- (1) Client intake;
- (2) Client screening;
- (3) Client orientation;
- (4) Client assessment and placement;

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- (5) Treatment planning;
- (6) Counseling;
- (7) Case management;
- (8) Crisis intervention;
- (9) Client education;
- (10) Referrals;
- (11) Reports and record keeping; and
- (12) Consultation.

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